



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/172,853

Filing Date: October 15, 1998

First Named Inventor: Christine DUPUIS

Group Art Unit: 1617

Examiner: E. Webman

Attorney Docket Number: 05725.0134-01000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. Previously submitted

- i. Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date] _____.
- ii. Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] _____.
- iii. Other _____

b. Enclosed:

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement
- iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. Other _____

3. Fees

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a. The filing fee is calculated as follows:

- i. \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Petition for extension of time for (Two Months) \$410.00
- iii. Other _____

b. Check in the amount of \$1,160.00 enclosed.

c. The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Matthew L. Whipple

Reg. No.: 47,217

Signature:

Date: February 3, 2003

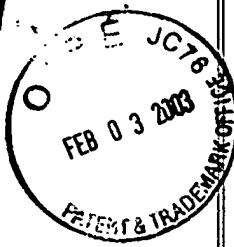
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

17

Christine DUPUIS

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Application No. 09/172,853

Group Art Unit: 1617

Filed: October 15, 1998

) Examiner: E. Webman

For: COSMETIC COMPOSITION WITH A
FIXING AND/OR CONDITIONING
POLYMER CONTAINING A SPECIFIC
ACRYLIC COPOLYMER

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE AND SUBMISSION UNDER 37 C.F.R. § 1.114

Further to the Notice of Appeal filed September 30, 2002, this Response is filed together with a Request for Continued Examination (RCE) and fulfills the requirements of a "submission" under 37 C.F.R. § 1.114. The period for reply has been extended to February 4, 2002, by a Petition for Extension of Time and fee filed herewith. Applicant requests reconsideration and reexamination of this application in light of the following remarks.

REMARKS

I. Status of the Claims

Claims 25-67 are pending in this application. Claims 25-42 and claim 63 have been withdrawn from consideration as drawn to non-elected subject matter. No claim is amended by this Response.

**FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP**